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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,255	09/25/2000	Takeshi Hashimoto	450101-02196	9832
20999	7590	02/09/2005	EXAMINER	
FROMMERM LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			PESIN, BORIS M	
		ART UNIT	PAPER NUMBER	
		2174		
DATE MAILED: 02/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/601,255	HASHIMOTO ET AL.	
	Examiner Boris Pesin	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09/13/2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3,5,7,9,11,22,24,26,28,30 and 32 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1, 3, 5, 7, 9, 11, 22, 24, 26, 28, 30, and 32 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to Amendment A, filed 09/13/2004.

Claims 1, 3, 5, 7, 9, 11, 22, 24, 26, 28, 30, and 32 are pending in this application.

Claims 1, 3, 7, 9, 22, 24, 28, and 30 are independent claims. In the Amendment A,

Claims 13-21 and 34-42 were canceled. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5, 7, 9, 11, 22, 24, 26, 28, 30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takiguchi (EP000717346A2) further in view of Baker (US006002401A).

As per independent claim 1, Takiguchi teaches an information providing apparatus for providing a desired information screen by making selection from icons respectively assigned to information screens, comprising: operation information input means inputted with operation information based on selection operation (page 19, lines 9-20); and switching means for switching a menu screen on which the icons are

arranged, to an information screen of a selected one of the icons, with a predetermined transit screen inserted there between, in response to the operation information (page 19, lines 9-20), characterized in that the switching means gradually enlarges the selected icon on the transit screen, to zoom in on the icon (page 19, lines 9-20). Takiguchi does not disclose that the switching means gradually fades display of the selected icon on the transit screen to switch this display to display of the information screen.

Baker teaches that the switching means gradually fades display of the selected icon on the transit screen to switch this display to display of the information screen (column 10, lines 23-41, *navigating a hierarchy using animated icons*, and column 51, Appendix C, /*Remove to */*, animation may include fading of an icon*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Takiguchi with a means to gradually fade display of a selected icon on a transit screen, as taught by Baker, with the motivation to provide an animated interface for the user (column 9, lines 40-41).

As per independent claim 3, Takiguchi teaches an information providing apparatus for providing a desired information screen by making selection from icons respectively assigned to information screens (page 19, lines 9-20), characterized in that the icons are group icons respectively assigned to groups each grouping a plurality of information screens (page 19, lines 9-20, *icons represent hierarchical layers that contain groups of icons*), the information providing apparatus comprises operation information input means inputted with operation information based on selection

operation (page 19, lines 9-20), and switching means for switching a menu screen in an upper layer on which the group icons are arranged, to a first menu screen in a layer lower than a selected group icon (page 19, lines 9-20), with a predetermined first transit screen inserted there between, and the switching means gradually enlarges the selected group icon on the first transit screen, to zoom in onto the group icon (page 19, lines 9-20). Takiguchi does not disclose that the switching means gradually fades display of the selected icon onto which the display is zooming in, on the transit screen, to switch the display to display of the first menu screen in the lower layer.

Baker teaches that the switching means gradually fades display of the selected icon on the transit screen to switch this display to display of the information screen (column 10, lines 23-41, *navigating a hierarchy that uses animated icons*, and column 51, Appendix C, /*Remove to */*, animation may include fading of an icon*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Takiguchi with a means to gradually fade display of a selected icon on a transit screen, as taught by Baker, with the motivation to provide an animated interface for the user (column 9, lines 40-41).

As per claim 5, which is dependent on claim 3, the combination of Takiguchi and Baker teach that the group icon in the lower layer has a second menu screen in a much lower layer, on which group icons are further arranged (page 19, lines 9-20, *directory E is a much lower level*), and the switching means switches the first menu screen in the lower layer on which the group icons are arranged, to the second menu screen in the lower layer of the selected group icon (page 19, lines 9-20), with a predetermined

second transit screen inserted there between, in response to the operation information, gradually enlarges the selected group icon on the transit screen to zoom in on the group icon (page 19, lines 9-20). Takiguchi does not disclose that the switching means gradually fades display of the group icon onto which the display is zooming in, on the second transit screen, to switch the display to display of the second menu screen in the lower layer.

Baker teaches that the switching means gradually fades display of the group icon onto which the display is zooming in, on the second transit screen, to switch the display to display of the second menu screen in the lower layer (column 10, lines 23-41, *navigating a hierarchy that uses animated icons*, and column 51, Appendix C, /*Remove to */), *animation may include fading of an icon*).

As per independent claim 7, Takiguchi teaches an information providing apparatus for providing a desired information screen by making selection from icons respectively assigned to information screens (page 19, lines 9-20), comprising: operation information input means inputted with operation information based on selection operation (page 19, lines 9-20); and switching means for switching the information screen to a menu screen on which the icons are arranged (page 19, lines 9-20), with a predetermined transit screen inserted there between, in response to the operation information (page 19, lines 9-20), characterized in that the switching means gradually minimizes enlarged display of an icon corresponding to the information screen, to zoom out onto the menu screen from display which has zoomed in on the icon (page 19, lines 24-30). Takiguchi does not disclose that the switching means gradually fades

display of the information screen to switch the display of the information screen to display of a corresponding icon.

Baker teaches that the switching means gradually fades display of the information screen to switch the display of the information screen to display of a corresponding icon (column 10, lines 23-41, *navigating a hierarchy that uses animated icons*, and column 51, Appendix C, /*Remove to */*, animation may include fading of an icon*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Takiguchi with a means to gradually fade display of an information screen when switching display of information to a corresponding icon, as taught by Baker, with the motivation to provide an animated interface for the user (column 9, lines 40-41).

As per independent claim 9, Takiguchi teaches an information providing apparatus for providing a desired information screen by making selection from icons respectively assigned to information screens (page 19, lines 9-20), characterized in that the icons are group icons respectively assigned to groups each grouping a plurality of information screens (page 19, lines 9-20, *icons represent hierarchical layers that contain groups of icons*), the information providing apparatus comprises operation information input means inputted with operation information based on selection operation (page 19, lines 24-30), and switching means for switching a menu screen in a lower layer on which the group icons are arranged, to a first menu screen in a layer upper than the selected group icon (page 19, lines 24-30), with a predetermined first transit screen inserted there between, and the switching means gradually minimizes a

group icon corresponding to a menu in the lower layer, to zoom out from the group icon (page 19, lines 24-30). Takiguchi does not disclose that the switching means gradually fades display of the menu screen in the lower layer, to switch the display of the menu screen in the lower layer to display of the group icon corresponding to the menu screen in the lower layer.

Baker teaches that the switching means gradually fades display of the menu screen in the lower layer, to switch the display of the menu screen in the lower layer to display of the group icon corresponding to the menu screen in the lower layer (column 10, lines 23-41, *navigating a hierarchy that uses animated icons*, and column 51, Appendix C, /*Remove to */*, animation may include fading of an icon*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Takiguchi with a means to gradually fade display of the menu screen in the lower layer, as taught by Baker, with the motivation to provide an animated interface for the user (column 9, lines 40-41).

As per claim 11, which is dependent on claim 9, Takiguchi teaches that the group icon in the upper layer has a second menu screen in a much upper layer, on which group icons are further arranged (page 19, lines 9-30), and the switching means switches the first menu screen in the upper layer, on which the group icons are arranged, to the second menu screen in the upper layer of a selected group icon (page 19, lines 9-30), with a predetermined second transit screen inserted there between, in response to the operation information, gradually minifies the selected group icon on the transit screen to zoom out from the group icon (page 19, lines 9-30). Takiguchi does

not disclose that the switching means gradually fades display of the first menu screen to switch the first menu screen to a corresponding second menu screen.

Baker teaches that the switching means gradually fades display of the first menu screen to switch the first menu screen to a corresponding second menu screen (column 10, lines 23-41, *navigating a hierarchy that uses animated icons*, and column 51, Appendix C, /*Remove to */*animation may include fading of an icon*).

Claims 22, 24, 26, 28, 30, and 32 are similar in scope to claims 1, 3, 5, 7, 9, and 11, respectively, and are therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 09/13/2004 have been fully considered but they are not persuasive.

The Applicant argues:

- (a). Takiguchi does not disclose a transit screen.
- (b). Takiguchi does not disclose gradual enlargement of the icons.
- (c). Baker does not teach gradually fading.
- (d). Baker and Takiguchi do not teach using a transit screen to switch the display to the information screen corresponding to the next layer.

In regards to argument (a), Takiguchi teaches “the display is duly zoomed in” (Page 19, Line 15, and Figures 21 and 22). This gradual zooming in process could be interpreted to be the transit screen that is shown when the icon is zoomed in on.

In regards to argument (b), Takiguchi teaches “the display is duly zoomed in.”

In regards to argument (c), the Baker teaches fading. Fading is defined by Merriam-Webster’s Online dictionary as “to change gradually in loudness, strength, or visibility -- used of a motion-picture image or of an electronics signal and usually with *in* or *out*.” Fading by definition is gradual. Therefore since Baker teaches fading, he has to teach gradual fading.

In regards to argument (d), Takiguchi teaches using a transit screen to switch the display to the information screen corresponding to the next layer. This can be seen in figures 20, 21, and 22.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY 2000 2100